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UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE

Paper No. 18

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AUSTIN, TX 78767-0398**

In re Application of  
Cynthia Mary Milton  
Application No. 09/621,934  
Filed: July 24, 2000  
Attorney Docket No. 5181-71100

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**DECISION ON PETITION**

This is a decision on the Response To Notice Of Abandonment Mailed March 29, 2001, received in the United States Patent and Trademark Office (USPTO) on June 4, 2003, which is being treated as a Petition To Withdraw Holding Of Abandonment in the above-identified application.

The petition is **DISMISSED**. Any request for reconsideration of this decision, or as explained below, filing a petition seeking revival under 37 CFR § 1.137, must be filed within **TWO MONTHS (2)** from the mail date of this decision.

The application was held abandoned for failure to timely respond to the Notice To File Corrected Application Papers (copy attached herewith) mailed on March 11, 2003, which set a two months time period to reply. However, the Notice of Abandonment indicated that the application was abandoned for failure to timely file new formal drawings as required in the Notice of Allowability.

The Office has no record of any form of response to the Notice To File Corrected Application Papers; therefore, the application was properly abandoned.

Although this petition for withdrawal of the holding of abandonment is being dismissed, further petition remedies are available for bringing about the withdrawal of the holding of abandonment.

File a petition for Revival of Abandoned Application under CFR § 1.137 (a) or (b). (Forms are available at USPTO website <http://www.uspto.gov>)

- Under 37 CFR 1.137(a), a petition for the revival of an *unavoidably* abandoned application must be accompanied by the following:

- (1) The required reply to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee set forth in § 1.17(l);
- (3) A showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unavoidable; and
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d) required pursuant to paragraph (c) of this section.

With respect to an application filed before June 8, 1995, any petition under § 1.137(a) or (b) that is filed more than six months after the abandonment date must—according to § 1.137(d)—be accompanied by a terminal disclaimer with disclaimer fee.

- Under 37 CFR 1.137(b), a petition for the revival of an *unintentionally* abandoned application must be accompanied by the following:

- (1) The required reply to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d) required pursuant to paragraph (c) of this section.

Further correspondence with respect to this matter should be addressed as follows:

By mail:	Mail Stop Petitions Commissioner for Patents P. O. Box 1450 Alexandria, Va 22313-1450
By facsimile:	703-308-6916 Attn.: Office of Petitions
By hand:	Crystal Plaza Four, Rm. 3C23 2201 South Park Place Arlington, VA

Telephone inquiries relating to this matter may be directed to the undersigned in the Office of Patent Publication at 703-305-8380.

*Thomas E. Hawkins*

Thomas E. Hawkins  
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Office of the Director  
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